

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-cv-00227-FDW

CARLTON W. REMBERT,

Appellant,

v.

EDWARD P. BOWERS, Trustee of the Marvin-
Waxhaw Associates/Nolan Liquidating Trust,
William J. Nolan, III and Martha Louise C.
Hemphill-Nolan, and BEAUTIFUL VIEW
INVESTMENTS, LLC,

Appellees.

ORDER

THIS MATTER is before the Court on the Motion to Dismiss Bankruptcy Appeal (Doc. No. 4) filed by Edward P. Bowers, Trustee of the Marvin-Waxhaw Associates/Nolan Liquidating Trust, William J. Nolan, III and Martha Louise C. Hemphill-Nolan, and Beautiful View Investments, LLC, the appellees herein (“Appellees”), through counsel, on October 18, 2013 (the “Motion”). The Motion included a notice to Appellee, who appears pro se, in accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Appellee of the burden to respond to the motion to dismiss. To date, Appellee has not filed a response, nor has Appellee paid the appropriate fees for filing this appeal, and the time for doing so has long expired. The Court, having reviewed the Motion and the record before the Court has determined that the Motion should be granted.

IT IS, THEREFORE, ORDERED that the Motion (Doc. No. 4) is GRANTED and this Appeal is DISMISSED with prejudice.

SO ORDERED.

Signed: January 8, 2014



Frank D. Whitney
Chief United States District Judge

